

IN THE UNITED STATES DISTRICT COURT FOR
THE EASTERN DISTRICT OF PENNSYLVANIA

_____	:	Master Docket No.
IN RE PLASTICS ADDITIVES	:	03-CV-2038-LDD
ANTITRUST LITIGATION	:	and MDL Docket No. 1684
_____	:	
THIS DOCUMENT RELATES TO:	:	
Gitto Global Corp. v. Rohm & Haas Co.,	:	
et al., No. 03-cv-2038 (Direct Purchaser	:	
Class Action)	:	
_____	:	

PLAINTIFFS' REVISED MOTION FOR CLASS CERTIFICATION

Pursuant to Rule 23(a) and (b)(3) of the Federal Rules of Civil Procedure, Plaintiffs Crane Group Co., Crane Plastics Manufacturing Ltd., Crane Plastics Siding LLC, Ex-Tech Plastics, Inc., Heritage Plastics, Inc., and Isaac Industries. Inc. (“Plaintiffs”) respectfully move this Court for an Order allowing this action to proceed as a class action on behalf of two subclasses, defined as:

Subclass I [Organotin Heat Stabilizers]: All persons (excluding governmental entities, defendants, other producers of Plastics Additives, and the present and former parents, subsidiaries and affiliates of the foregoing) who purchased organotin heat stabilizers in the United States directly from any of the defendants formerly, currently or subsequently named in the action or from any predecessors, parents, subsidiaries or affiliates thereof at any time during the period from January 1, 1990 to and including January 31, 2003.

Subclass II [Epoxidized Soybean Oil]: All persons (excluding governmental entities, defendants, other producers of Plastics Additives, and the present and former parents, subsidiaries and affiliates of the foregoing) who purchased epoxidized soybean oil in the United States directly from any of the defendants formerly, currently or subsequently named in the action or from any predecessors, parents, subsidiaries or affiliates thereof at any time during the period from January 1, 1990 to and including January 31, 2003

This motion is supported by the Memorandum in Support of Plaintiffs' Motion for Class Certification, dated August 4, 2005, submitted with Exhibits A through F, including an Affidavit of John C. Beyer, Ph. D. Regarding Class Certification, sworn to August 4, 2005; the Reply Memorandum in Support of Plaintiffs' Motion for Class Certification, dated March 3, 2006, submitted with a Reply Affidavit of John C. Beyer, Ph.D. Regarding Class Certification, sworn to March 3, 2006, and Exhibits 2 through 140; and the accompanying Memorandum in Support of Plaintiffs' Revised Motion for Class Certification, dated September 16, 2009, with exhibits, as well as the other pleadings in this action.

Each proposed subclass is numerous; common questions of fact and law predominate; the named Plaintiffs' claims are typical of each subclass's claims; Crane Group Co., Crane Plastics Manufacturing Ltd., Crane Plastics Siding LLC, Ex-Tech Plastics, Inc., and Heritage Plastics, Inc. are adequate subclass representatives for Subclass I; Crane Group Co., Ex-Tech Plastics, Inc. and Isaac Industries. Inc. are adequate subclass representatives for Subclass II; and a class action is the superior method of adjudicating this action.

WHEREFORE, Plaintiffs respectfully request that this Court certify this action as a class action under Rule 23(a) and (b)(3) of the Federal Rules of Civil Procedure on behalf of the above-defined subclasses, designate Plaintiffs as subclass representatives, appoint Co-Lead

Counsel as Class Counsel for each subclass, and grant any further relief as the Court deems just and proper.

Dated: September 16, 2009

Respectfully submitted,

/s/ William E. Hoese

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CERTIFICATE OF SERVICE

I, Craig W. Hillwig hereby certify on this 16th day of September, 2009 Plaintiffs'

Revised Motion for Class Certification was filed electronically and is available for viewing and downloading from the Court's ECF System, which provides electronic notice to the following:

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I further certify that on this 16th day of September, 2009 Plaintiffs' Revised Motion for Class Certification and Memorandum in Support of Plaintiffs' Revised Motion for Class Certification (which was filed under seal) was served on the following persons by U.S. First Class Mail, addressed as follows:

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Dated: September 16, 2009

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